

AMENDED IN ASSEMBLY JUNE 18, 2013

AMENDED IN SENATE APRIL 30, 2013

SENATE BILL

No. 562

Introduced by Senator Galgiani

February 22, 2013

An act to amend Section 1657 of the Business and Professions Code, relating to dentists.

LEGISLATIVE COUNSEL'S DIGEST

SB 562, as amended, Galgiani. Dentists: mobile or portable dental units.

Existing law, the Dental Practice Act, provides for the licensure and regulation by the Dental Board of California of those engaged in the practice of dentistry. Existing law provides that a person practices dentistry if the person, among other things, manages or conducts as manager, proprietor, conductor, lessor, or otherwise, in any place where dental operations are performed. Existing law authorizes a dentist to operate one mobile dental clinic or unit that is registered and operated in accordance with regulations adopted by the board. ~~Existing law also imposes specified registration requirements on a dentist who maintains additional places of practice. Existing law exempts specified mobile units from those requirements.~~ Other provisions of existing law, the Mobile Health Care Services Act, require, subject to specified exemptions, licensure by the State Department of Health Care Services to operate a mobile service unit.

This bill would *eliminate the one mobile dental clinic or unit limit and would authorize a licensed dentist to operate one a mobile dental unit or portable dental unit, as defined, that is registered and operated in accordance with those regulations. the regulations of the board.* The

bill would authorize the *board to adopt* regulations to include, including, but not be limited to, requirements for availability of followup and emergency care, maintenance, and availability of provider and patient records, and treatment information to be provided to patients and other appropriate parties.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1657 of the Business and Professions
2 Code is amended to read:
3 1657. (a) For the purposes of this section, the following
4 definitions shall apply:
5 (1) “Mobile dental unit” means a *self-contained* facility in which
6 dentistry ~~is will be~~ practiced ~~and that is routinely towed, may be~~
7 moved, *towed*, or transported from one location to another.
8 (2) “Portable dental unit” means ~~a nonfacility in which dental~~
9 ~~equipment used in the practice of dentistry is housed in a~~
10 *self-contained unit used for providing dental treatment that is*
11 *routinely transported to, and used on a temporary basis at, an*
12 ~~out-of-office location a nondental office location.~~
13 (b) ~~A licensed dentist may operate one mobile or portable dental~~
14 ~~unit. The mobile or portable dental unit mobile dental unit or~~
15 *portable dental unit* shall be registered and operated in accordance
16 with regulations established by the ~~board, provided these~~
17 ~~regulations are not board. These regulations shall not be~~ designed
18 to prevent or lessen competition in service areas. The regulations
19 may include, but shall not be limited to, requirements for
20 availability of followup and emergency care, ~~maintenance,~~
21 *maintenance* and availability of provider and patient records, and
22 treatment information to be provided to patients and other
23 appropriate parties. A *mobile dental unit*, or a portable dental unit
24 registered and operated in accordance with the board’s regulations
25 and that has paid the fees established by the board, including a
26 mobile dental unit registered for the purpose specified in
27 subdivision (e), shall otherwise be exempted from this article and
28 Article 3.5 (commencing with Section 1658).
29 (c) A mobile service unit, as defined in subdivision (b) of
30 Section 1765.105 of the Health and Safety Code, and a mobile

1 *dental unit or portable dental unit* operated by an entity that is
2 exempt from licensure pursuant to subdivision (b), (c), or (h) of
3 Section 1206 of the Health and Safety Code, are exempt from this
4 article and Article 3.5 (commencing with Section 1658).
5 Notwithstanding this exemption, the owner or operator of the
6 mobile unit shall notify the board within 60 days of the date on
7 which dental services are first delivered in the mobile unit, or the
8 date on which the mobile unit's application pursuant to Section
9 1765.130 of the Health and Safety Code is approved, whichever
10 is earlier.

11 (d) A licensee practicing in a mobile unit described in
12 subdivision (c) is not subject to subdivision (b) as to that mobile
13 unit.

14 (e) Notwithstanding Section 1625, a licensed dentist shall be
15 permitted to operate a mobile dental unit provided by his or her
16 property and casualty insurer as a temporary substitute site for the
17 practice registered by him or her pursuant to Section 1650 as long
18 as both of the following apply:

19 (1) The licensed dentist's registered place of practice has been
20 rendered and remains unusable due to loss or calamity.

21 (2) The licensee's insurer registers the *mobile dental* unit with
22 the board in compliance with subdivision (b).